

### **REMARKS**

The Applicants have carefully reviewed the Office Action dated November 12, 2009 and thank Examiner Saad for the detailed review of the pending claim. In response to the Office action, Applicants have amended claim 1. Support for the amendment can be found at least in paragraph [0023] of the application. No new matter has been added. New claims 19-30 have been added. Support for the new claims can be found at least in paragraphs [0008]-[0051]. Accordingly, claims 1-30 are pending in this application. At least for the reasons set forth below, Applicants respectfully traverse the rejections made in the latest Office Action.

Further, Applicants believe that there are also reasons other than those set forth below why the pending claims are patentable, and reserves the right to set forth those reasons, and to argue for the patentability of claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicants have also amended the specification to place the application in proper U. S. format, as well as to reflect proper English idiom. Applicants respectfully request reconsideration of the present application in view of the above amendments and the following remarks.

#### **Objection to the Specification**

The Examiner objected to the specification for not having providing the proper section headings. Applicants have amended the specification to add the appropriate sections. Withdrawal of the objection is respectfully requested.

#### **Claim Rejection – 35 U.S.C. § 102**

##### **1. Reinhardt et al. (U.S. Patent No. 6,050,900)**

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Reinhardt et al. Applicants respectfully traverse the rejection.

Independent claim 1 has been amended to recite “A process for fixing at least one balancing weight to at least one location on a hollow shaft, for torque transmission at rotational speeds in the range of 3000 rpm to 12000 rpm in a drive system for a vehicle, comprising securing the at least one balancing weight to the at least one location by soldering, wherein a solder for the soldering is applied as a foil.”

Reinhardt does not teach all of the recitations found in independent claim 1. Reinhardt is directed toward the use of ultrasonic welding to form a weld joint between a balancing plate and corrugated pipe. (See Column 2, lines 59-64.) During the ultrasonic welding, a sonotrode is placed on the balancing plate. The sonotrode “carries out transversal vibrations in the ultrasonic range and, while slightly pressing the balancing plate against the wall, generates frictional heat in the contact zone which leads to a thermally caused softening welding together of the contacting parts.” (See Column 4, lines 24-31.) Therefore, Reinhardt does not teach, at least, “securing the at least one balancing weight to the at least one location by soldering, wherein a solder for the soldering is applied as a foil.” Instead, Reinhardt teaches the use of ultrasonic welding where vibrations cause a thermal softening and welding together of contacting parts, not solder foil.

Further, Reinhardt admits, with respect to soldering or gluing techniques that “[t]hese techniques have not been accepted at least in series production because they cannot be carried out rapidly and in this application are not secure with respect to the process and therefore not durable in every case because of a wide spread of relevant influential factors, such as the physical or chemical surface quality, the joining quality, and the like.” (See Column 2, lines 35-44.) Accordingly, Reinhardt actually teaches away from claim 1.

Accordingly, Reinhardt does not teach all of the recitations found in independent claim 1. In fact, Reinhardt admits that the use of solder has “not been accepted at least in series production” for several reasons, including durability. Therefore, independent claim 1 is not anticipated by Reinhardt. Applicants respectfully request withdrawal of the rejection.

2. Zeichnungen (DE725619)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Zeichnungen. Applicants assume that the Examiner meant to reject claim 1 under 35 U.S.C. § 102(b) as being anticipated by Lürenbaum et al. (DE725619) and have responded accordingly. Applicants respectfully traverse the rejection.

Lürenbaum does not teach all of the recitations found in independent claim 1. Lürenbaum is directed toward balancing unbalanced shafts. According to a machine translation of the text of Lürenbaum (a copy attached), to balance the shafts, imbalance masses are welded on in the form of a sheet metal on the shaft body, which can be soldered or glued. (*See* translation, lines 1-3.) However, Lürenbaum does not teach, at least the limitation of, “securing the at least one balancing weight to the at least one location by soldering, *wherein a solder for the soldering is applied as a foil.*”

Further, Lürenbaum suggests that gluing balancing sheets on the shaft achieves a higher fatigue strength in the adhesion joint, than, for example, soft soldering can reach, thereby teaching away from the desirability soldering. Since the fatigue strength of the shaft does not become affected by sticking as with solders, particular advantages then can be achieved. (*See* translation, lines 11-13.)

Accordingly, Lürenbaum does not teach all of the recitations found in independent claim 1. In fact, Lürenbaum suggests that using solder does not have the particular advantages associated with gluing, such as fatigue strength. Therefore, independent claim 1 is patentable over Lürenbaum. Applicants respectfully requests withdrawal of the rejection.

#### New Claims

New claims 19-30 have been added. However, no new matter has been introduced. Support for new claims 19-30 may be found in at least paragraphs [0009]-[0051]. All of these claims depend either directly or indirectly from independent claim 1.

As set forth above, as claim 1 is patentably distinct from the cited prior art, claims 19-30 are patentable, at least by virtue of their dependency upon claim 1. However, these claims also include additional features that are not shown or disclosed in the cited prior art, and thus are independently patentable.

### **CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66969-0004 from which the undersigned is authorized to draw.

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Respectfully submitted,

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